

SUMMARY OF REVISIONS TO ADMINISTRATIVE POLICIES 6/10/04

#1 on this chart was revised just to include an important summary of a regulation that was inadvertently left out of the original salary basis admin policy on 12/3/03.

#2 – 6 on this chart were revised due to the 2003 legislative revision to RCW 49.12 Industrial Welfare Act. All of these administrative policies relate to the IWA and its related WACs to make it clear that public employees are now included in these regulations.

	POLICY #	POLICY NAME	SUMMARY OF REVISIONS
1	ES.A.9.1	Salary Basis FAQ	#10 – included when EE has not yet qualified under ER's policy that salary deduction can be made in full-day increment (inadvertently left out of original FAQ)
2	ES.A.1	Minimum Wage Act <i>Para 1, 2, and 6 (c) were revised due to change in RCW 49.12 in 2003 to include state employees under 49.12 and its WAC's;</i> <i>#6(i) is not related to the RCW revision</i>	Clarifies in #1 and #2 that the MW may apply to public employees or may be exempt; in #6 (c) on page 3 that public EEs are subject to the Salary Basis regs; #6 (i) on page 5 clarifies that the exemption from MW for charitable orgs applies only to camps but not to regular duties (this is to ensure that employees working for nonprofit educational, religious, or charitable organizations are not denied MW due for their regular duties).
3	ES.A.6	Collective Bargaining Agreements <i>Revised solely due to change in RCW 49.12 in 2003.</i>	In #1 B, clarifies that a CBA can vary from the laws for public employers and constructions trades (for meal and rest periods); #2 and #3 further clarify those exceptions
4	ES.C.6	Meal and Rest Periods <i>paragraphs #2, 3, 4, and 15 were revised due to change in RCW 49.12 in 2003</i> <i>#10, 12, 13 were revised to reflect recent court case decisions regarding meal and rest periods</i>	In #2, clarifies that both private and public sectors are covered by these regs; #3 clarifies the CBA's effect on meal and rest periods for public employees; #4 clarifies the CBA effect on meal and rest periods for construction trades; #15 again establishes that a CBA cannot change the regs unless it is public ERs or construction trades #10 clarifies what the dept considers a rest break; #12 clarifies what the dept considers an intermittent rest period; #13 clarifies when an employee is required to remain on call during their rest period;

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5	ES.C.1	<p>Industrial Welfare Act</p> <p><i>#1, 5, 7, were revised due to change in RCW 49.12 in 2003</i></p> <p><i>#10, 13, 14, 17, 25 revised to include descriptions of laws in RCW 49.12 and its related WAC's not in previous version</i></p> <p><i>#27, 28 were revised due to Yellow Freight decision and others that provide employees the right of private action under RCW 49.12</i></p>	<p>#1 adds conditions of labor under the IWA that were not in previous version; #5 adds public employers subject to the IWA; #7 deletes public employer reference in previous version;</p> <p>The following add new language for conditions of employment covered by the IWA that were not in previous version: #10 child labor #13 family care #14 wearing apparel / uniforms #17 volunteer firefighters #25 CBA</p> <p>#27 revised from previous version re department's ability to enforce RCW 49.12 (IWA) and 49.46 (MWA)</p> <p>#28 (implied right of action for employees</p>
6	ES.C.2	<p>Hours Worked</p> <p><i>#5 was revised due to change in RCW 49.12 in 2003 (WAC 296-125-015 (4) specifically exempts public employers from the minor work regs)</i></p>	<p>#5: on page 5 page last paragraph of #5 states that public agencies are not subject to the minor work regs, but that they are subject to federal laws.</p>